



11-01-06

W R/E

P/1259-637

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Date: October 30, 2006

Fernand LABRIE

Confirmation No. 3989

Serial No.: 10/052,803

Group Art Unit: 1617

Filed: November 7, 2001

Examiner: Shaojia A. Jiang

For: **SELECTIVE ESTROGEN RECEPTOR MODULATORS IN COMBINATION  
WITH ESTROGENS**

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

REQUEST FOR CONTINUED EXAMINATION

Sir:

This is a Request for Continued Examination (RCE) under the provisions of 37 C.F.R. § 114, of the above-identified application.

Please charge our Deposit Account No. 15-0700 the RCE fee of \$ 790.00 and any extension/suspension fee.

In the event the actual fee is greater than the payment submitted or is inadvertently not enclosed or if any additional fee during the prosecution of this application is not paid, the Patent Office is authorized to charge the under-payment to Deposit Account No. 15-0700.

If this communication is filed after a shortened statutory time period in said pending application had elapsed and no separate Petition is enclosed, the Commissioner of Patents and Trademarks is petitioned, under 37 C.F.R. §1.136(a), to extend the time for filing a response to the outstanding Office Action by the number of months which will avoid abandonment under 37 C.F.R. §1.135. The fee under 37 C.F.R. § 1.17 should be charged to our Deposit Account No. 15-0700.

11/01/2006 SSESHE1 00000090 150700 10052803

01 FC:1801 790.00 DA

00795135.1

☒ If checked, please enter and consider the Amendment previously filed on May 2, 2006 under 37 C.F.R. § 1.116.

☒ If checked, an Amendment and/or Affidavit(s)/Declaration(s) and/or IDS are enclosed.

☐ If checked, please consider the arguments in the Appeal Brief and Reply Brief previously submitted.

☐ If checked, suspension of action is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months (3 maximum). A petition fee in the amount of \$130.00 is enclosed.

EXPRESS MAIL CERTIFICATE

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail to Addressee (mail label #EV605026023US) in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on: October 30, 2006

William O. Gray, III

Name of Person Mailing Correspondence

Signature

October 30, 2006

Date of Signature

Respectfully submitted,

William O. Gray, III

Registration No.: 30,944

OSTROLENK, FABER, GERB & SOFFEN, LLP

1180 Avenue of the Americas

New York, New York 10036-8403

Telephone: (212) 382-0700

WOG:jl:db